P18

Previous references.
~~Mel 105—1905~~
L 7 211-1573

1905.

(municipal)

File No 157-05

Serial Nos 2, 4, 5 & 7-1

Later references
Mel 162-14
Mel 162-148 to 14 B Septr 1916.

GENERAL AND REVENUE SECRETARIAT

✓

Serial Nos 2, 4, 5, 7, 8, 9

Part B for November 1905

SUBJECT

Taxation of the Madras Railway Company's Buildings within the Bangalore Cantonment limits

P T O

G R S 58

2 From the First Assistant to the Resident in Mysore No 4847 dated 29th August 1905

States that as there can be no question of the sums due or said to be due from the Railway Company to the City Municipality being recovered as taxation, the position between the two bodies is that of two parties one of whom has rendered and the other taken advantage of certain services as to the value of which they are not in agreement, that such questions are generally decided by reference to the Courts that the Officiating Resident therefore considers it undesirable that he should offer any opinion unless it is agreed beforehand that the parties will accept his decision as an arbitration award and that Mr Williams will be happy to give the matter his best consideration, should the City Municipal Commission be ready also to accept this position

4 To the President, Municipal Commission, Bangalore City, No 3122 dated 21st September 1905

Forwards a copy of the above and enquires what action has been taken by the Municipality on the Government Proceedings No 1714—M1 (605 04) dated 18th August 1905, and requests him if nothing has been done to report the views of the Board as to whether they would be willing to accept the decision of the Hon'ble the Resident who has kindly agreed to give the matter his best consideration and arbitrate between the Municipality and the Railway Company and calls for additional information in the matter

5 From the same No 125 dated 23rd September 1905

States in reply that the proposal made in Serial No 2 will be placed before the Board at the next month's meeting and their views reported in due course that no action has been taken on Government Proceedings No 1714—M1 (605 04) 5 dated 18th August 1905 and that the charge for excess water has given in the bill sent to the Agent and Manager was calculated on the free allowance of 400 000 gallons as intimated by the Water supply Department and not of 900 000 gallons which allowance was only lately decided to be made from 1st July 1904

7 To the same, No 3751 dated 4th October 1905

States that the matter referred to in the above may be treated as urgent and the views of the Municipal Commissioners submitted as early as practicable

8 From the President, Municipal Commission, Bangalore City No 158 dated 26th October 1905

Submits a copy of the Board's resolution thankfully accepting the offer of the arbitration by the Hon'ble the British Resident in the matter

9 To the First Assistant to the Hon'ble the Resident No Pol 350 dated 7th November 1905

Communicates the above with a copy of the Board's resolution

S 11] 1905-06

GENERAL AND REVENUE SECRETARIAT

(Mz:)

NOTES

File No 151-05

Title Heading

Taxation of the Madras Railway Company's within the Bangalore City Municipal

on

The Chief Asstt. Resident in Mysore

No 4847 Dated 29 8 '05 Received 29 8 1905

Memory No 1932 Enclos 1 Spare Copies — Serial No 2

Brief Abstract of Letter

Enquires whether the Bangalore City municipality are to accept his decision in regard to their claim for payment for water and lighting services rendered to the Madras Co during the 4 years ending 1903-1902.

NOTES AND ORDERS

The Company's liability for services rendered to them by way of water supply and lighting was fixed by mutual agreement at Rs 9007- a year. It was further agreed that this arrangement was to be in force for a period

Notes—First sheet

MCPL—0000—17-2.05

S. 12]
eneral and Revenue Secretariat

Mil File No 151 of 1905

Serial No

of ten years commencing from the 1st July 1902. Question then arose at what rate the Company should pay the Municipality for the previous 4 years during which the matter was under discussion. The Company wanted to give retrospective effect to the recent arrangement which the President declined and reported the matter to Govt. In Govt Proc. No. 1714 Mil (603-02)-5 dated the 18th May 1903 however, the President was informed that he was not right in asking more from the Company for the said period. The President has now invited the question at the instance of the Railway Authorities. Before informing him of the Govt decision already arrived at (vide Proc. of the 18th May '03) may a copy of his letter be forwarded to the President for consideration by the Board in case he has not taken action already on the said Govt order and sent us a bill for payment at the rate of Rs 900/- a year excluding charges for excess consumption of water. Draft docket submitted

6/9/05

6/9/05

MGCPL—50 000 1-20

Ml File No 151 of 1905

Serial No

4 5 Docket no 3122 dated the 21th September 1905 to the President

Enquires what action has been taken by the Municipality subsequent to the Govt order of the 10th August 1905 and, if nothing has been done whether the Board would be willing to accept the decision of the Honble the Resident who has agreed to arbitrate between the Municipality and the Railway Company

5 6 Letter no 125 dated the 23d Sept 1905 from the President

States in reply, that no action has yet been taken in the matter that the matter will be placed before the next meeting of the Board and that the charge for excess water as given in the bill sent to the Agent and manager was calculated on the free allowance of 400000 gallons as intimated by the Water Supply department and not of 900000 gallons which allowance was only lately decided to be made from the 1st July 05

7 Submitted for orders as to whether the President's further report may be awaited

Mad Sng 279

8 Call for it

tn sheet

MGCPB—50 000 1720, 30/9/1 5— 30/5/1905

12]
neral and Revenue Secretariat

Ml File No 151 of 1905

Serial No

4 5 Docket no 3122 dated the 21th September 1905 to the President

Enquires what action has been taken by the Municipality subsequent to the Govt. order of the 10th August 1905 and if nothing has been done, whether the Board would be willing to accept the decision of the Honble the Resident who has agreed to arbitrate between the Municipality and the Railway Company

5 6 Letter no. 125 dated the 23d. Septr. 1905 from the President

States, in reply, that no action has yet been taken in the matter, that the matter will be placed before the next meeting of the Board and that the charge for excess water as given in the bill sent to the Agent and manager was calculated on the free allowance of 400,000 gallons as estimated by the Water Supply department and not of 900,000 gallons which allowance was only lately decided to be made from the 1st July 1905

7 Submitted for orders as to whether the President's further report may be awaited

8 Call for it

tn sheet

Mad Sng 279

MGCPL—50 000 1720, 30/9/05 3/5/1905

[G.R.S. 12]
General and Revenue Secretariat.

Mk File No 151 of 1905

Serial No	
	Draft docketed submitted.
	Mad Corp 2/10
7	docketed No. 4213 dated the 2nd October 1905
	Observes that the very early submission of the Board's resolution in the matter is awaited
8	" Letter No. 158 dated the 28th October 1905 from the President
	Submits a copy of the Board's resolution thankfully accepting the offer of arbitration by the Honble the Resident between the Municipality and the Madras Railway Company and pointing out that the Company has been paying the House and Lighting taxes for the past 21 years and that it has also paid at the present rate of 881-8-0 for seven years from 1895-96 without demur
2	Submitted for orders. The Railway Company have recently shifted their position, and instead of giving a direct reply to Paragraph 4 of the points raised in Pol. No. 35 dated the 14th July 1905 have offered to pay a

Note—Contd sheet

MGCPB—20,000—1 11-04

R.S. 12]
General and Revenue Secretariat.

Mil File No 157 of 1905

Serial No

lump sum of Rs 1000 annually in lieu of all demands in the way of taxation. Please see the Cantonment file for the Board's opinion on this point Mil. 3mg & the draft therein put up.
28/10/05

A separate draft regarding the payment of water & lighting taxes upto 1903-04 is submitted.

B3
30/10/05

B3 Draft submitted to the Dewan Saheb thro the Secretary
&
31.10.1905

646/31.10.1905

B4 Do you care to see. Mr Gracey has agreed to pay the Board Rs 1000 on account of lighting & water taxes. The question is what the payment should be for next year. The Resident offers to arbitrate & both the Board & the Company are agreeable. The draft is suitable then the Board ~~to enter into an agreement with the Company~~ under which a consolidated payment

MGOPB—20,000—1 11-04

R.S. 12]
General and Revenue Secretariat.

Ml File No 157 of 1905/1906

Serial No	
will	contain the clause of the present two separate payments but this will have no retrospective effect 9 1905 1.11 Ml 1—11—05.
9	2.67 2.11.05 15 Letter no Pol 350 dated the 7th November 1905 to the First Asstt Resident informing him that the City Municipal Commission have resolved thankfully to accept the offer of arbitration by the Hon'ble the Resident and forwards for reference a Copy of the Municipal Commissioners resolution in the matter

NOTE—Contn sheet.

MGCPB—20,000—1 11-04

D1932 Mc 151 of 1905-6
Sl(2)

R P B—604—

587

No 4847 Encore

FROM

R C H MOSS KING, Esq, I, C S,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE

326 D) 29-8-05

To

The Dewan of Mysore.

Misc. No. 4847 Dated Bangalore, 29th August 1905

8-9

SIR,

I am directed to invite a reference to the correspondence ending with letter No.155, dated the 18th July 1905, from the President, Municipal Commission, Bangalore, to the address of the Agent and Manager, Madras Railway Company, regarding the claim of the Municipality for payment for water and lighting services rendered by them to the Company during the four years ending 1903-1904.

Enclosed.

2. I am to state that as there can be no question of the sums due or said to be due from the Railway Company to the City Municipality being recovered as taxation, the position between the two bodies is that of two parties one of whom has rendered and the other taken advantage of certain services as to the value of which they are not in agreement. Such questions are generally decided by reference to the Courts and the Offg Resident therefore considers it undesirable that he should offer any opinion unless it is agreed before hand that the parties will accept his decision as an arbitration award.

211

3. On behalf of the Railway Company the Agent and Manager has expressed his willingness, to accept the Offg Resident's decision

decision and should the City Municipal Commission on their side be ready to accept this position, Mr Williams will be happy the matter his best consideration.

4. I am to ask that the views of the City Municipal Commission may now kindly be obtained.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

Rec

212

No.155, dated the 18th July 1905.

The President, Municipal Commission, Bangalore City.

The Agent and Manager,
Madras Railway Company,

With reference to your letter No.M/141670/6836, dated the 15th inst., I have the honour to state that I fail to see how retrospective effect can be given to a settlement for a definite period of ten years from 1st July 1904.

I request you therefore to be good enough to remit the amount of taxes shewn in the bill sent with this Office letter No.3722, dated the 1st ultimo, viz., Rs. 4235-4-4 as early as practicable.

---------oOo---------

C O P Y.

K.S Tirumala Ayyangar

R e g i s t r a r,

Resident's Office.

Ground rent 9/15

4

From.

The Secretary to Government,
General and Revenue Depts.

To.

The President,
City Municipal Commission,
Bangalore.

Dated 21 September 1905.

3122
R.L.(G.T.-05)-4 Encl

In forwarding herewith a copy of letter No.4847, dated the 29th August 1905, from the First Assistant to the Hon'ble the Resident in Mysore, regarding the claim of the Municipality for payment of the water and lighting services rendered by them to the Madras Railway Company, during the four years ending 1903-'04, has the honor to enquire what action has been taken by the Municipality after the passing of Proceedings No. 1714/605-04, dated the 18th August, intimating that in the opinion of the Government it was not right to demand more than Rs.900 a year, for the period in question, and if nothing has been done, to request him to be so good as to report the views of the Board as to whether they would be willing to accept the decision of the Resident who has kindly agreed to give the matter his best consideration, and arbitrate between the Municipality & the Railway Co.

12 IX 05

17 9 1905

2. Information should also be furnished as to the basis on which the charge for excess water entered in the President's letter No.372, dated the 1st June 1905, to the address of the Agent and Manager of the Madras Railway Company was calculated and as to whether free allowance was taken to be 900000 gallons per quarter

"By order"

Secretary.

B M 109]

D2640 & 157-05 & 5-6

OFFICE OF THE MUNICIPAL COMMISSION,

No 125

City, Bangalore, 23rd/26th September 1905

From

THE PRESIDENT,

Municipal Commission,

Bangalore City.

To

The Secretary to the Government of H H the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

Sir,

With reference to your docket No. 3122/Rl.(151-05)-4 dated the 21st. Instant regarding the arrears of Water and Lighting Rates due to the Municipality from the Madras Railway Company for the 4 years ending 1903-1904, I have the honor to state that the proposal made in the First Assistant Resident's letter referred to in the above will be placed before the Board at the next months' Meeting and their views reported in due course.

2. I beg to state that no action has been taken on the Government Proceedings No. 1714/Rl.(605-04)-5 dated the 19th. Ultimo.

3. The charge for excess water as given in the bill sent to the Agent and Manager with this office letter No. 3723 dated the 1st. June 1905 was calculated on the free allowance of 400,000 gallons as intimated by the Water Supply Department - and not 600,000 gallons which allowance was only lately decided to be made from 1st. July 1904.

I have the honor to be

Sir,

Your most obedient

servant,

C. Vagarcha.

President.

B M 109]

D2640 wl 157-05 & 5 6

OFFICE OF THE MUNICIPAL COMMISSION,

No 125

City, Bangalore, 23rd September 1905.
26"

From

THE PRESIDENT,

Municipal Commission,

Bangalore City.

To

The Secy. to the Government of H H the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

Sir,

With reference to your docket No. 3122/Fl.(151-05)-4 dated the 21st. Instant regarding the arrears of Water and Lighting Rates due to the Municipality from the Madras Railway Company for the 4 years ending 1903-1904, I have the honor to state that the proposal made in the First Assistant Resident's letter referred to in the above will be placed before the Board at the next months' Meeting and their views reported in due course.

2. I beg to state that no action has been taken on the Government Proceedings No. 1714/Fl.(605-04)-5 dated the 19th. Ultimo.

3. The charge for excess water as given in the bill sent to the Agent and Manager with this office letter No. 3723 dated the 1st. June 1905 was calculated on the free allowance of 400,000 gallons as intimated by the Water Supply Department - and not 900,000 gallons which allowance was only lately decided to be made from 1st. July 1904.

I have the honor to be

Sir,

Your most obedient servant,

A V Nagarkar

for President.